

#14/RCE

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U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

REQUEST FOR CONTINUED EXAMINATION (RCE) TRANSMITTAL

Subsection (b) of 35 U.S.C. § 132, effective on May 29, 2000, provides for continued examination of an utility or plant application filed on or after June 8, 1995.

See The American Inventors Protection Act of 1999 (AIPA).

Application Number	09/328,975
Filing Date	06/09/1999
First Named Inventor	Wolff
Group Art Unit	1635
Examiner Name	Richard Schnizer
Attorney Docket Number	9.01

This is a Request for Continued Examination (RCE) under 37 C.F.R. § 1.114 of the above-identified application.

NOTE: 37 C.F.R. § 1.114 is effective on May 29, 2000. If the above-identified application was filed prior to May 29, 2000, applicant may wish to consider filing a continued prosecution application (CPA) under 37 C.F.R. § 1.53 (d) (PTO/SB/29) instead of a RCE to be eligible for the patent term adjustment provisions of the AIPA. See Changes to Application Examination and Provisional Application Practice, Final Rule, 65 Fed. Reg. 50092 (Aug. 18, 2000); Interim Rule, 65 Fed. Reg. 14865 (Mar. 20, 2000), 1233 Off. Gaz. Pat. Office 47 (Apr. 11, 2000), which established RCE practice.

1. Submission required under 37 C.F.R. § 1.114

- a. ☐ Previously submitted
- i. ☐ Consider the amendment(s)/reply under 37 C.F.R. § 1.116 previously filed on _____
(Any unentered amendment(s) referred to above will be entered).
- ii. ☐ Consider the arguments in the Appeal Brief or Reply Brief previously filed on _____
- iii. ☐ Other _____
- b. ☒ Enclosed
- i. ☒ Amendment/Reply
- ii. ☐ Affidavit(s)/Declaration(s)
- iii. ☐ Information Disclosure Statement (IDS)
- iv. ☐ Other _____

2. Miscellaneous

- a. ☐ Suspension of action on the above-identified application is requested under 37 C.F.R. § 1.103(c) for a period of _____ months. (Period of suspension shall not exceed 3 months; Fee under 37 C.F.R. § 1.17(i) required)
- b. ☒ Other Petition for Extension

3. Fees

The RCE fee under 37 C.F.R. § 1.17(e) is required by 37 C.F.R. § 1.114 when the RCE is filed.

- a. ☐ The Director is hereby authorized to charge the following fees, or credit any overpayments, to Deposit Account No. _____
- i. ☐ RCE fee required under 37 C.F.R. § 1.17(e)
- ii. ☐ Extension of time fee (37 C.F.R. §§ 1.136 and 1.17)
- iii. ☐ Other _____
- b. ☐ Check in the amount of \$ _____ enclosed
- c. ☒ Payment by credit card (Form PTO-2038 enclosed)

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GROUP 1600

OFFICIAL

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED

Name (Print/Type)	Mark K. Johnson	Registration No. (Attorney/Agent)	35,909
Signature		Date	2/14/2003

CERTIFICATE OF MAILING OR TRANSMISSION

I hereby certify that this correspondence is being sent by facsimile transmission to 703.305.3011, U.S. Patent and Trademark Office on: on Thursday, February 14, 2003.

Name (Print/Type)	Mark K. Johnson	Date	01-FC-2001 2/14/2003	375.00 OP
Signature				

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND Fees and Completed Forms to the following address: Assistant Commissioner for Patents, Box RCE, Washington, DC 20231.

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TECH CENTER 1600/2900 IN 2900 UNITED STATES PATENT AND TRADEMARK OFFICE

Application of: Jon A. Wolff,)
Vladimir S. Trubetskoy,)
Sean D. Monahan, James E. Hagstrom,)
Paul M. Slattum, Vladimir G. Budker,)
Aaron G. Loomis)

Serial No.: 09/328,975)

Filed: 6/9/99)

Group Art Unit: 1632)

Examiner: Richard Schnizer

#15/K.T.
4/3
C

For: Charge Reversal of Polyion Complexes

AMENDMENT UNDER 37 C.F.R. § 1.111

Commissioner of Patents
and Trademarks
Washington, D.C. 20231

Dear Sir:

This Amendment responds to the Office Action dated August 14, 2002. Kindly amend the application as follows:

In the Claims:

Applicants hereby submit a version with markings to show changes made:

Please cancel claim 2 and amend claims 1, 3 and 8 as follows:

- C¹
- 1) (Amended) A process for delivering a nucleic acid to a cell, comprising:
- a) forming a complex consisting of a nucleic acid and a polymer in a solution wherein the complex has a net charge less negative than the nucleic acid;
 - b) ionically attaching a charged polymer to the complex of step a) in sufficient amount to form a new complex having a net charge more negative than the complex in step a);
 - c) inserting the complex into a mammal;
 - d) delivering the complex to the cell.

- C²
- 3) (Amended) The process of claim [2]1 wherein the polymer is selected from the group consisting of PLL and PEI.